

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

DANTE D. ASHLEY,

Plaintiff,

v.

Case No. 17-C-1785

SHANICE JONES, et al.,

Defendants.

ORDER

Plaintiff Dante D. Ashley, who is currently representing himself, filed this action under 42 U.S.C. § 1983, alleging that his civil rights were violated. Plaintiff has filed a motion for reconsideration related to the court's screening order dated January 11, 2018. Specifically, Plaintiff seeks reinstatement of his deliberate indifference claim against C.O. Jones for failing to take him to receive medical treatment after he had been assaulted by another inmate. Plaintiff's motion for reconsideration, filed some seven months after the court's screening order, is untimely and should be dismissed on this ground alone.

Even if the court treats Plaintiff's motion as timely, he has not established that he is entitled to proceed on this claim. Plaintiff alleges that, even though he received medical care days after the incident, C.O. Jones did not immediately take him to receive treatment for his split lip, black eye, and facial swelling. In cases where an inmate receives delayed medical assistance, "courts have required the plaintiff to offer 'verifying medical evidence' that the delay (rather than the inmate's underlying condition) caused some degree of harm." *Williams v. Liefer*, 491 F.3d 710, 714–15 (7th Cir. 2007) (citing cases). Here, Plaintiff has failed to allege any harm arising from the delay in receiving

treatment. As a result, he has not offered a proper basis to proceed on a deliberate indifference claim against C.O. Jones, and the motion for reconsideration will be denied.

Plaintiff has also filed a motion to extend the time for completing discovery and to file dispositive motions. The court will grant this motion. The parties must complete discovery by October 22, 2018 and file dispositive motions by November 20, 2018.

IT IS THEREFORE ORDERED that Plaintiff's motion for reconsideration (ECF No. 19) is **DENIED**.

IT IS FURTHER ORDERED that Plaintiff's motion to extend deadlines (ECF No. 20) is **GRANTED**. The parties must complete discovery by **October 22, 2018** and file dispositive motions by **November 20, 2018**.

Dated this 22nd day of August, 2018.

s/ William C. Griesbach
William C. Griesbach, Chief Judge
United States District Court